

Ekwan E. Rhow (CA SBN 174604)  
erhow@birdmarella.com  
Marc E. Masters (CA SBN 208375)  
mmasters@birdmarella.com  
Christopher J. Lee (CA SBN 322140)  
clee@birdmarella.com  
BIRD, MARELLA, RHOW,  
LINCENBERG, DROOKS &  
NESSIM, LLP  
1875 Century Park East, 23rd Floor  
Los Angeles, California 90067-2561  
Telephone: (310) 201-2100  
Facsimile: (310) 201-2110

Jonathan M. Rotter (CA SBN 234137)  
Kara M. Wolke (CA SBN 241521)  
Gregory B. Linkh (*pro hac vice*)  
GLANCY PRONGAY & MURRAY,  
LLP  
1925 Century Park East, Suite 2100  
Los Angeles, California 90067-2561  
Telephone: (310) 201-9150  
jrotter@glancylaw.com  
kwolke@glancylaw.com  
glinkh@glancylaw.com

Kalpana Srinivasan (CA SBN 237460)  
Steven Sklaver (CA SBN 237612)  
Michael Gervais (CA SBN 330731)  
SUSMAN GODFREY L.L.P.  
1900 Avenue of the Stars  
14th Floor  
Los Angeles, CA 90067  
Telephone: (310) 789-3100  
ksrinivasan@susmangodfrey.com  
ssklaver@susmangodfrey.com  
mgervais@susmangodfrey.com

Y. Gloria Park (*pro hac vice*)  
SUSMAN GODFREY L.L.P.  
One Manhattan West, 50<sup>th</sup> Floor  
New York, NY 10001  
Telephone: (212) 336-8330  
gpark@susmangodfrey.com

John W. McCauley (*pro hac vice*)  
SUSMAN GODFREY L.L.P.  
1000 Louisiana Street, Suite 5100  
Houston, TX 77002  
Telephone: (713) 651-9366  
jmccauley@susmangodfrey.com

*Attorneys for Plaintiffs*

**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

BERNADINE GRIFFITH, et al.,  
individually and on behalf of all  
others similarly situated,

Plaintiffs,

vs.

TIKTOK, INC., a corporation;  
BYTEDANCE, INC., a corporation  
Defendants.

Case No. 5:23-cv-00964-SB-E

**PLAINTIFFS' APPLICATION UNDER  
LOCAL RULE 79-5 FOR LEAVE TO  
FILE DOCUMENTS UNDER SEAL**

Judge: Hon. Stanley Blumenfeld Jr.

Action Filed: May 26, 2023  
Trial Date: January 21, 2025

Pursuant to Local Rule 79-5.2.2, Plaintiffs respectfully submit this application to the Court for an order sealing the materials described below that are filed in connection with Plaintiffs' Submission in Response to Order at Dkt. 232.

Plaintiffs seek to file partially under seal the following document, insofar as

1 it contains references to an expert report that, in turn, references material that  
2 Defendants have designated CONFIDENTIAL or ATTORNEYS' EYES ONLY:

3	4	5	6	7	8	9	10
	Portion of Document Sought to Be Sealed	Party Claiming Confidentiality	Basis for Sealing				
	Plaintiffs' Submission in Response to Order at Dkt. 232	Defendants	Refers to Material Designated CONFIDENTIAL or ATTORNEYS' EYES ONLY by Defendants pursuant to the Protective Order				

11  
12 As set forth in the accompanying Declaration of Gregory B. Linkh in Support  
13 of Plaintiffs' Application for Leave to File Documents Under Seal, the document  
14 listed above references an expert report that, in turn, references material that  
15 Defendants have designated CONFIDENTIAL or ATTORNEYS' EYES ONLY  
16 under the Protective Order entered in this action (Dkt. 33). By making this  
17 application, Plaintiffs do not agree that any of the sealed material, or the documents  
18 referencing sealed materials, should be maintained under seal. Pursuant to Local  
19 Rule 79-5.2.2(b), the burden is on Defendants to file a declaration to establish that  
20 all or part of the designated material is sealable.

21 Plaintiff therefore respectfully requests that the Court enter the concurrently  
22 filed [Proposed] Order permitting Plaintiffs to file the above-referenced documents  
23 under seal.  
24  
25  
26  
27  
28

1  
2 Dated: August 20, 2024

By: /s/ Gregory B. Linkh

3 Ekwan E. Rhow (CA SBN 174604)  
4 Marc E. Masters (CA SBN 208375)  
5 Christopher J. Lee (CA SBN 322140)  
6 **BIRD, MARELLA, RHOW,**  
7 **LINCENBERG, DROOKS & NESSIM,**  
8 **LLP**  
9 1875 Century Park East, 23rd Floor  
10 Los Angeles, California 90067-2561  
11 Telephone: (310) 201-2100  
12 erhow@birdmarella.com  
13 mmasters@birdmarella.com  
14 clee@birdmarella.com

9 Jonathan M. Rotter (CA SBN 234137)  
10 Kara M. Wolke (CA SBN 241521)  
11 Gregory B. Linkh (*pro hac vice*)  
12 **GLANCY PRONGAY & MURRAY,**  
13 **LLP**  
14 1925 Century Park East, Suite 2100  
15 Los Angeles, California 90067-2561  
16 Telephone: (310) 201-9150  
17 jrotter@glancylaw.com  
18 kwolke@glancylaw.com  
19 glinkh@glancylaw.com

15 Kalpana Srinivasan (CA SBN 237460)  
16 Steven Sklaver (CA SBN 237612)  
17 Michael Gervais (CA SBN 330731)  
18 **SUSMAN GODFREY L.L.P.**  
19 1900 Avenue of the Stars, Suite 1400  
20 Los Angeles, CA 90067  
21 Telephone: (310) 789-3100  
22 Facsimile: (310) 789-3150  
23 ksrinivasan@susmangodfrey.com  
24 ssklaver@susmangodfrey.com  
25 mgervais@susmangodfrey.com

21 Y. Gloria Park (*pro hac vice*)  
22 **SUSMAN GODFREY L.L.P.**  
23 One Manhattan West, 50<sup>th</sup> Floor  
24 New York, NY 10001  
25 Telephone: (212) 336-8330  
26 Facsimile: (310) 336-8340  
27 gpark@susmangodfrey.com

25 John W. McCauley (*pro hac vice*)  
26 **SUSMAN GODFREY L.L.P.**  
27 1000 Louisiana Street, Suite 5100  
28 Houston, TX 77002  
Telephone: (713) 651-9366  
Facsimile: (713) 654-6666  
jmccauley@susmangodfrey.com

*Attorneys for Plaintiffs*

**PROOF OF SERVICE**

I hereby certify that on this 20th day of August, 2024, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

s/ Gregory B. Linkh  
Gregory B. Linkh